

# **CHAPTER 1**

## **BACKGROUND AND ISSUES**

### **INTRODUCTION AND BACKGROUND**

The Bureau of Land Management (BLM) proposes to implement a management decision contained in the 1996 Pompeys Pillar Environmental Assessment (EA)/Amendment, with a focus on constructing a new interpretive center at Pompeys Pillar National Monument (herein referred to as Pompeys Pillar). In 1999, the BLM considered a proposal to co-locate the new interpretive center with a Montana Department of Transportation highway rest area. After careful consideration and preliminary analysis, the proposal for a co-located interpretive center/rest area was withdrawn. However, this process identified the need for the BLM to revisit other decisions that were made in the 1996 Pompeys Pillar EA/Amendment, including the size of the interpretive center, the season of operation, and whether to remove the existing visitor center and related facilities.

Public scoping for this Environmental Assessment (EA) was initiated on November 18, 1999, through the filing of a Notice of Intent to Prepare an Environmental Assessment on construction of an interpretive center and other facilities at Pompeys Pillar. The Notice of Intent appeared in the Federal Register on November 26, 1999, and did not contain a specific agency proposed action, but did identify that the EA would analyze the possibility of a Montana Department of Transportation highway rest area at the site.

### **PURPOSE AND NEED**

An improved facility is needed because the current facilities are inadequate to provide a high quality visitor experience at levels of visitation projected to occur over the next 20 years. Visitation to Pompeys Pillar has been increasing. In the period from 1992 until 2000, annual visitation to the site increased 70 percent to approximately 39,000 visitors. It is anticipated that the visitation may triple by the year 2020. The current visitor center, parking and sanitation facilities are inadequate to serve that level of visitation.

Preparations are being made for the anticipated influx of visitation due to the Bicentennial of the Lewis and Clark Expedition (2003-2006). The Pompeys Pillar Interpretive Center was selected as one of the top two projects in Montana by the Montana Lewis and Clark Bicentennial Commission. There is public support for a new interpretive

center at Pompeys Pillar to be constructed in time to be available for most, if not all, of the Bicentennial of the Lewis and Clark Expedition. In order to meet that time requirement, the Bureau must refine siting, funding and design questions so that construction could begin in late 2002.

Cost estimates of construction, operations and maintenance of the facility, and estimated site visitation numbers on which the 1996 decision regarding an interpretive center was based, have been re-assessed. Since 1996, the BLM has been working on cost estimates for the interpretive center and has determined that the construction costs were substantially underestimated in the 1996 analysis. In addition, new projections indicate that visitation estimates were overstated resulting in a need to re-examine the analysis.

### **GENERAL LOCATION**

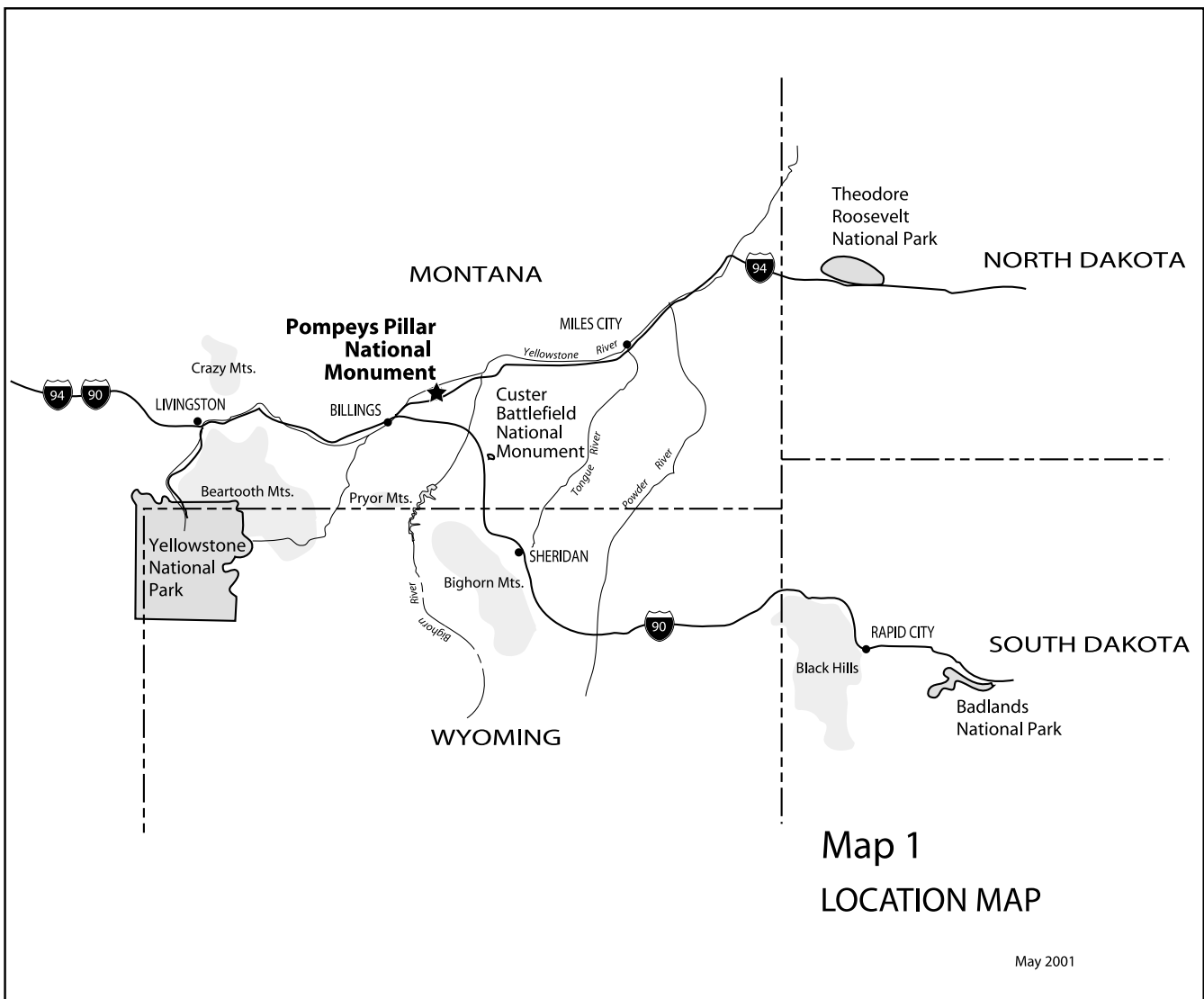
Pompeys Pillar is located along the southern bank of the Yellowstone River approximately 30 miles east of Billings, Montana, in Yellowstone County. The area is framed by Montana Highway 312 to the south, the Yellowstone River to the north, and private land to the west and east. Interstate 94 (I-94) provides easy access to the site through an interchange located midway along the property's southern border. Refer to Map 1.

Nearby communities include the towns of Pompeys Pillar, Huntley, Shepherd and the city of Billings. Pompeys Pillar lies in a tourism corridor which provides easy access to Bighorn Canyon National Recreation Area, Crow Indian Reservation, Little Bighorn National Battlefield, Beartooth Mountains and Yellowstone National Park.

### **RELATED ACTIONS THAT INFLUENCE THE SCOPE OF THIS EA**

#### **Establishment of the Pompeys Pillar National Monument**

On January 17, 2001, Pompeys Pillar was designated a national monument under the authority of Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), known as



the Antiquities Act. Fifty-one acres of federally owned land was set apart and reserved as Pompeys Pillar National Monument for the purpose of protecting the ethnographic, historic and archaeological values associated with the massive sandstone outcrop known as Pompeys Pillar. Refer to Map 2.

### **Designation of Pompeys Pillar as a National Historic Landmark**

On July 23, 1965, Pompeys Pillar was officially designated as a National Historic Landmark primarily because of the significance of William Clark's signature and the association of the Pillar with the Lewis and Clark Expedition. The designation was for the pillar land form itself, including six acres above the 2,890 foot elevation contour surrounding the Pillar. Refer to Map 2.

### **Designation of Pompeys Pillar as an Area of Critical Environmental Concern (ACEC) and Amendment of the BLM - Billings Resource Management Plan**

The 1996 Pompeys Pillar ACEC Environmental Assessment and Decision Record amended the 1983 Billings Resource Management Plan (BRMP) and decision record (1984) and designated the Pompeys Pillar Area as an ACEC. The EA considered three different land use allocation configurations and facility development scenarios. The Decision Record provided specific management direction for the entire 473 acre Pompeys Pillar Area and designated all but three acres located south of Interstate 90 as an ACEC. Since 1996, the total acreage for the site decreased to 431 acres due to loss of streambank from erosion during the 1996 and 1997 flood events.

The 1996 Pompeys Pillar EA/Amendment and decision record is herein incorporated by reference. Provided below is a summary of the decisions most applicable to this EA. Additional detailed discussions are provided in Chapters Two and Three of this document:

- Management Zones: The area within the designated ACEC was allocated to three distinct management zones emphasizing different aspects of the setting near the pillar land form (the National Historic Landmark) including: a Historic Zone; a Historic Zone - Developed; and a General Management Zone. Refer to Map 3.
- A moderately sized interpretive center (about 11,000 to 12,500 square feet) would be constructed in the Historic Zone - Developed.

- Pompeys Pillar was to be managed as a day-use site. The newly constructed interpretive center was to be staffed from May 1 to October 31.
- Visual Resource Management (VRM) classes were designated with specific management objectives for each VRM class rating.
- The existing access road along the west boundary would be closed and reclaimed and a new, all-weather entrance road constructed.
- The existing visitor center would remain.

## **DECISIONS TO BE MADE**

The focus of this EA is to further refine and adjust decisions related to the interpretive center from the 1996 Pompeys Pillar EA/Amendment. The BLM must decide the following:

1. What size interpretive center should be constructed;
2. Where the interpretive center and related infrastructure should be located within the Historic Zone - Developed. The Historic Zone - Developed was selected as the area in which to generally locate an interpretive center in the 1996 decision;
3. Whether the existing visitor center and related facilities should be removed; and
4. What interpretive center operation (season of use) should be provided.

## **PLANNING ISSUES**

This section lists the planning issues identified through public scoping and through interdisciplinary team assessment of the project proposal.

### **Interpretive Center Construction Costs**

The projected costs of constructing a 11,000 to 12,500 square foot interpretive center and related infrastructure, as called for in the 1996 Pompeys Pillar EA/Amendment, may substantially exceed the funding available. The BLM has received a 2 million dollar appropriation to be matched by funds raised by the Pompeys Pillar Historical Association for planning, design and construction of the new interpretive center. Original construction cost estimates in the 1996 Amendment for this size facility were estimated at about 3

million dollars. New information indicates that this cost was underestimated.

## **Interpretive Center Operation Costs**

The projected cost of operating and maintaining a 11,000 to 12,500 square foot interpretive center facility may require substantial reallocation of the BLM recreation funding away from current recreation facility operations within the Montana BLM's jurisdiction. The Montana BLM fiscal year 2001 recreation budget was not sufficient to cover all requested recreation expenditures in the three-state area, which resulted in a program deficit situation. The amount of recreation funds are not expected to increase significantly in the near future. A substantial increase in net operations costs (operation cost less visitor fees) at Pompeys Pillar could impact operation funds available for other recreation and visitor sites. Original estimates of operations costs in the 1996 Pompeys Pillar EA/Amendment for the planned 6 month operation period of about \$300,000 annually may be low.

## **Pompeys Pillar Visitation Projections**

New information suggests that the original projected visitation to Pompeys Pillar, on which the interpretive center infrastructure was based, may be too high. The 1996 Pompeys Pillar EA/Amendment projected that annual visitation could reach 250,000 visitors annually. Refer to Chapter Three for more detailed discussion on visitation projections and current visitation.

## **Yellowstone River Floodplain and Riparian Areas**

Concern was expressed that construction of an interpretive center, parking lot, day-use area and related support facilities within the Yellowstone River floodplain could adversely affect floodplain function, adjacent lands, riparian areas, and wildlife and riparian habitat. Concerns were also raised regarding ice jams in the river and the potential to cause damage. These concerns are addressed in Chapter Three of this analysis.

## **Visual, Historic and Cultural Values**

Some members of the public commented that the construction of a new, large interpretive facility may affect the cultural and historical significance of the site as well as the visual aesthetics of the area. There was no new information that suggests there would be impacts to cultural or historic resources. Refer to Chapter Three for analysis of the historic and cultural resources.

As part of this analysis, the BLM conducted a visual resource management (VRM) contrast rating by using visual simulation to ensure the facility would be in conformance with the VRM Class rating for the site. Additional analysis and discussion regarding VRM can be found in Chapters Two and Three.

## **Other Issues/Concerns**

Concerns were raised regarding the indoor/outdoor interpretive exhibits, programs, and specific details regarding the interpretive center (i.e., materials, color, texture, etc). While some of these issues are addressed as part of this analysis, the level of specificity for these issues will be addressed in the design phase of the actual construction project and will not be discussed further in this document.

## **APPLICABLE REGULATORY REQUIREMENTS, REQUIRED COORDINATION, LICENSES AND PERMITS**

This section identifies environmental laws relevant to the proposed activities. Some of these laws require specific coordination with regulatory agencies and/or require licenses or permits. The laws which will affect management decisions for Pompeys Pillar include the National Environmental Policy Act (NEPA) and the Federal Land Policy and Management Act (FLPMA), as well as the following other applicable regulatory requirements. Refer to Appendix 1 for a brief discussion of these requirements.

Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d)  
Endangered Species Act of 1973, as amended  
Fish and Wildlife Coordination Act (16 U.S.C. 661-666c)  
Migratory Bird Treaty Act and Executive Order 13186  
Protection of Wetlands (Executive Order 11990)  
American Indian Religious Freedom Act of 1978  
Archeological Resources Protection Act (ARPA) of 1979  
Environmental Justice (Executive Order 12898)  
Historic Sites Act of 1935  
Indian Sacred Sites (Executive Order 13007)  
National Historic Preservation Act (NHPA) of 1966, as amended.  
Native American Grave and Repatriation Act of 1990 (NAGPRA)  
Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431)  
Clean Air Act  
Clean Water Act

Floodplain Management (Executive Order 11988)  
Montana Floodplain and Floodway Management Act,  
76-5-101-406, MCA  
Yellowstone County Floodplain Regulations  
Federal Noxious Weed Act of 1974, as amended by Sec.  
14 - Management  
of Undesirable Plants on Federal Lands, 1990  
Americans with Disabilities Act Accessibility Guidelines  
(ADAAG)  
Architectural Barriers Act (ABA), 1968  
Rehabilitation Act of 1973, Section 504  
Uniform Federal Accessibility Standards (UFAS)